



ASSOCIATION FOR LOCAL TELECOMMUNICATIONS SERVICES

February 18, 2000

Jonathan Askin
General Counsel
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Notice of Ex Parte Presentation** in CC
Docket No. 00-4, *Application of SBC*
Communications Inc. Pursuant to Section 271 of the
Telecommunications Act of 1996 to Provide In-
Region, InterLATA Services in Texas

Dear Secretary Salas,

Pursuant to Section 1.1206(a) of the Commission's Rules, 47 C.F.R. 1.1206(a), this letter is to provide notice of an *ex parte* meeting by Jonathan Askin of the Association for Local Telecommunications Services, Kelsi Reeves and Don Shephard of Time Warner Telecom, Rina Hartline of Birch Telecom, and Robin Casey and Eric Drummond of Casey, Gentz & Sifuentes in the above-referenced proceeding on Thursday, February 17, 2000. The parties met with Jessica Rosenworcel, Claire Blue, and John Stanley of the Common Carrier Bureau's Policy Division. During the meeting, the parties discussed a variety of issues related to SBC's application to provide interLATA services in Texas. The substance of the discussion is set forth in the attached document.

Should you have any questions about this matter, please call me at 969-2597. An original and one copy of this letter is being submitted to you for inclusion in the public record.

Sincerely,



Jonathan Askin

cc: Jessica Rosenworcel
Claire Blue
John Stanley

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List A B C D E

ALTS
SWBT 271 Application
CC Docket No. 00-4
February 17, 2000

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OVERVIEW

- SWBT fails to provide nondiscriminatory interconnection and access to:
 - OSS
 - Collocation
 - Interconnection trunks
 - Unbundled loops
- Need for Antibacksliding and Fresh Look

OSS

- Continued reliance on manual processes harms CLECs and end-users
 - Routinely misses FOC dates
 - Orders fall out for manual handling
 - Unable to coordinate related orders
 - Manual Process Skews time stamps and affects performance measurements
 - CLECs often receive multiple FOCs, creating
 - uncertainty in provisioning interval
 - skewing performance measures.
 - Problems occur even after service provisioned
 - e.g., double billing of end-user

OSS (cont'd)

- SWBT does not adequately communicate *ad hoc* changes in policies resulting in confusion in OSS processes
- Telcordia Report is inadequate
 - Telcordia closed issues without being able to confirm whether issue could recur
 - Telcordia analysis ended when part of OSS process resulted in manual intervention
 - No evidence that SWBT can accommodate commercial volumes
 - No test of LEX (CLECs' electronic interface)
 - No test of back office systems

OSS (cont'd)

- Problems processing supplemental orders
- Lack of user identification codes
- Under staffing LSC and Account Teams

COLLOCATION

- Unreasonable restrictions on access to, and use of, collocation space, *e.g.*, SWBT's "wall around its equipment" for cageless collocation arrangements
 - CLECs required to pay for lesser cost of the wall or a security camera, which will cause CLECs to have to argue about cost on a CO by CO basis
 - CLEC access to SWBT's equipment will inevitably be hampered by such a partition

Interconnection Trunks

- SWBT repeatedly limits CLEC ability to order sufficient numbers of trunks -- SWBT does not accept CLEC trunking forecasts -- CLECs forced to turn away customers
- SWBT does not provision interconnection trunks on a timely basis
- SWBT cannot provision trunks in sufficient numbers

UNBUNDLED LOOPS

- Hot cut performance is deficient because SWBT fails to follow proper loop provisioning procedures
- Regularly fails to meet FOC dates
- Unable to provide fully functional, automated OSS to CLECs at parity with functionality SWBT provides to its own retail customers
 - Critical preordering, ordering, and provisioning systems rely on manual processing

DSL LOOPS

- SWBT's data is facially inadequate to support its claim that SWBT is performing adequately on advanced services
 - Performance measures for DSL loops were adopted in Dec. 1999, but no data yet and cannot know if performance measures adequate without data
- CLEC data indicates that SWBT routinely misses FOCs and loop installation dates
 - Loops not installed on time can take more than an additional month due to manual process that fails to queue these loops for installation

DSL LOOPS (cont'd)

- Only interim arrangements exist for provisioning DSL-capable loops
- SWBT delayed CLEC implementation
- Uncertainty surrounding discriminatory effects of “Project Pronto” (SWBT’s aDSL rollout)
- Discriminatory treatment of CLECs *vis-à-vis* SWBT’s Advanced Services Affiliate

Unavailability of Raw Data to Validate SWBT Performance

- CLECs do not have reasonable access to raw data making it difficult to determine accuracy of SWBT performance measurements

ANTIBACKSLIDING

- FCC must vigilantly guard against post-entry backsliding
- Many issues still not resolved in Texas, *e.g.*, DSL loop provisioning, new UNE provisioning
- Uncertain Effects of “Project Pronto”

ANTIBACKSLIDING (cont'd)

- If SWBT found to be at fault for outage, SWBT should be required to notify CLEC customer to alleviate damage to CLEC reputation
- Three-tiered penalty approach to curb anti-competitive behavior:
 - Mandated rate reductions
 - Suspension of 271 authority
 - Material fines

FRESH LOOK

- Fresh look opportunities must accompany any grant of authority
- Excessive termination penalties will stifle competition
- Changed circumstances clearly warrant fresh look